

MAINE DEPARTMENT OF LABOR
Bureau of Unemployment Compensation

HOW EMPLOYMENT IN SEASONAL INDUSTRIES AFFECTS UNEMPLOYMENT INSURANCE BENEFITS

What is a Seasonal Industry? A seasonal industry is one which has been determined seasonal specifically by law, or one which customarily operates less than 26 weeks in a calendar year and has been officially determined seasonal by the Commission.

What Industries are Seasonal? The following Maine industries have been determined by the Commission to be seasonal for the periods listed:

Harvesting Of:

Apples09/01-10/20
Blueberries07/20-09/20

Packing and Processing Of:

Applesauce10/10-11/15
Beans, Shelled08/15-10/20
Beans, String07/20-09/15
Beets09/01-10/30
Blueberries07/20-09/20
Carrots.....10/01-11/30
Corn.....08/15-10/20
Dandelions.....05/15-10/15
Golden Relish08/15-10/20
Green Tomato Relish.....08/01-09/15
Peas07/01-08/10
Peas (Aroostook Cty.).....07/10-08/30
Pumpkin09/20-10/30
Squash09/20-10/30
Succotash.....08/15-10/20
Turnips10/01-11/30
Fiddleheads05/15-10/15

Summer Recreation.....06/15-09/15

Camping Areas.....05/15-09/30

Wreath Making, Decorating, Boxing,
and Tipping10/01-12/24

Washing, Bleaching, Drying and Curing
Of Sea Moss05/15-10/15

Whitewater Rafting....3rd Thursday in April Through
1st Tuesday After 25 Weeks

Ice Fishing Tip-Ups Manufacturing...07/01-12/15

Ski Industry12/01-04/30

Summer Cruise Boats, Party Boats
(Fishing and Sightseeing).....05/15 – 11/01

Baseball1st Week of April Through 3rd
Week of September

Amusement Parks.....05/10-11/03

Amusements such as: Carnivals, Amusement
Rides, Agricultural and Horticultural Societies Fairs,
Summer Theaters, Automobile Racing (including
Drag-Strip and Stock Car Racing), Summer
Festivals, Yacht Clubs, Marinas, and Oceanariums
04/15 – 10/15

Variety stores, trading posts, hotels, motels, inns, sporting camps, boys and girls camps or other lodging facilities, restaurants and other eating establishments, potato packing, and frozen milk products industries are seasonal industries for the period of operation each year if they operate less than 26 weeks during a calendar year.

What About Seasonal Periods Which Overlap or are Consecutive? Seasonal periods which overlap or have 14 or less days between them are considered as a single seasonal period, for an employer conducting operations in seasonal industries. EXAMPLE: A seasonal employer cans peas (seasonal period July 1 to August 10), string beans (seasonal period July 20 to September 15), and corn (seasonal period August 15 to October 20). The three seasonal periods are considered as one beginning July 1 and ending October 20.

What is Seasonal Work? Seasonal work is employment in seasonal industries within a determined seasonal period. EXAMPLE: Employment in a camping area during the seasonal period of May 15 to September 30 is seasonal work. Employment in a camping area outside the seasonal period is nonseasonal work.

What is Seasonal Unemployment? This is unemployment occurring within a seasonal period in which the individual has seasonal wage credits. The term “Wage Credits” means the earnings an individual has in his/her base period with employers subject to the Maine Employment Security Law. The base period is: 1) Regular Base Period – The first 4 of the last 5 completed calendar quarters before the Sunday of the week in which you file a new claim; or 2) Alternate Base Period – If you do not have enough wages in the “regular base period” to qualify for unemployment benefits, you may use the “alternate base period” which is the last 4 calendar quarters before the Sunday of the week in which you file a new claim.

Who is Affected? The seasonal provisions of the Maine Employment Security Law and the Rules governing the administration of the Employment Security Law apply only to those individuals who have earned their qualifying wages in whole or in part in seasonal work. Each individual who files a claim for unemployment insurance benefits and who has earned wages in seasonal work in his/her base period will have his/her benefits determined under the seasonal provisions of the Maine Employment Security Law and Rules governing the administration of the Employment Security Law.

How is the Weekly Benefit Amount Determined? The Rules governing the administration of the Employment Security Law provides that the weekly benefit amount for an individual having seasonal wage credits is the same as it would be if all the wage credits were for nonseasonal work. That is, all of an individual’s wage credits, both seasonal and nonseasonal, are used in determining the weekly benefit amount.

Supplemental weekly benefits for dependents provide an additional \$10.00 for each eligible dependent child wholly or mainly supported by the claimant. No supplemental benefits are provided if the claimant’s spouse is employed full-time and is contributing some support to the dependents. Supplemental benefits will not be more than one-half the weekly benefit amount.

When May an Individual Draw Benefits If He/She Has Only Seasonal Wage Credits? An individual who has base period credits only in seasonal work is, if otherwise eligible, entitled to all of his/her available benefits for unemployment occurring in the seasonal period or periods corresponding to the seasonal period or periods in which he earned his/her wage credits, but for unemployment occurring outside such seasonal period or periods he/she is not entitled to benefits. **EXAMPLE:** A person becomes unemployed during a seasonal period in which seasonal wages were earned. The person has all seasonal wages in the base period. If eligible for unemployment, all the seasonal wages were used to compute unemployment benefits.

When May an Individual Draw Benefits If He/She Has Both Seasonal and Nonseasonal Wage Credits? An individual who has base period wage credits in the base period in both seasonal and nonseasonal work is, if otherwise eligible, entitled to the maximum available benefits if unemployed in the seasonal period or periods in which the wage credits were earned; but if unemployed outside this seasonal period or periods, an individual is entitled only to the total amount of available benefit to which he/she would have been entitled if no seasonal wage credits were available. **EXAMPLE:** A person becomes unemployed during a seasonal period. The person has both seasonal and nonseasonal wage credits. If eligible for unemployment, both the seasonal and nonseasonal wages are used to compute benefits. If the same person becomes unemployed outside a seasonal period, the person cannot get credit for seasonal wages in computing unemployment benefits.

No one need fear to file honestly for unemployment insurance benefits. Your rights are set forth in this publication. Read them carefully. When in doubt, contact your Unemployment Compensation Claims Center – see the listing below.
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<u>Administrative Office:</u>	Bureau of Unemployment Compensation 19 Union Street, P.O. Box 259 Augusta, ME 04332-0259	Telephone No. (207) 287-2316 Fax No. (207) 287-2305 TTY (Deaf / Hard of Hearing) 1-800-794-1110
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<u>Call Centers:</u>	Telephone No. 1-800-593-7660; TTY 1-888-457-8884		
	P.O. Box 4200 Lewiston, ME 04243-4200	P.O. Box 610 Orono, ME 04473-0610	P.O. Box 1088 Presque Isle, ME 04769-1088
	Fax No. (207) 753-2851	Fax No. (207) 561-4665	Fax No. (207) 764-2142